

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-49 are pending in this application. Claims 1, 17, 31 and 38 are amended and Claims 48 and 49 are added by the present response. Support for amendments to the claims can be found in the originally filed disclosure. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-3, 5-7, 10, 13, 17, 18, 21, 22, 28, 31 and 47 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood (U.S. Pat. No. 4,567,359) in view of Ando et al. (U.S. Pat. Pub. No. 2002/0013717, herein “Ando”); Claims 4, 8, 9, 12-16, 19, 20, 22, 27, 29, 30, 32, 33 and 37 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood and Ando in further view of Ryan et al. (U.S. Pat. Pub. No. 2003/0187768, herein “Ryan”); Claims 11, 23, 24, 26, 34 and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood and Ando in further view of Maus et al. (U.S. Pat. No. 7,092,891, herein “Maus”); Claims 25 and 35 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Ando, Ryan and Maus; Claims 38-40 and 42 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood and Ando in further view of Zander et al. (U.S. Pat. Pub. No. 2003/0208385, herein “Zander”); Claims 41 and 46 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Ando, Ryan and Zander; and Claims 43-45 were rejected under 35 U.S.C. §103(a) as unpatentable over Lockwood, Ando, Zander and Maus.

Addressing now the rejection of Claims 1-3, 5-7, 10, 13, 17, 18, 21, 22, 28, 31 and 47 under 35 U.S.C. §103(a) as unpatentable over Lockwood and Ando, Applicants respectfully traverse this rejection.

Amended Claim 31 recites, in part,

- a. information collecting apparatus comprising a display, an automated life insurance application which can be

viewed by the applicant using the display, and an input device for use by the applicant in entering self-reported information;

b. one or more medical measuring stations for collecting objective information from the applicant by measuring, in a single session, physiological aspects of the applicant;

c. a processor for hosting a life insurance underwriting program;

d. means for inputting information from the apparatus for collecting self-reported information and the objective information from said one or more medical measuring stations in the single session, to the processor for use by the life insurance underwriting program;

e. means for displaying to the applicant at least one of a preliminary quote based only upon the self-reported information and a final quote based upon both the self-reported information and the objective information; and

f. an input device for use by the applicant in acknowledging at least one of the preliminary and final quotes.

Claims 1, 17 and 38 recite similar features with regard to measuring physiological aspects of the applicant in a single session.

Lockwood describes a system for automatically dispensing information, goods and services to a customer. Further, Lockwood describes a system that provides insurance quotes from several companies based on information entered by a customer via a touch pad 13 displayed on a monitor screen.

However, as is acknowledged by the outstanding Office Action on pages 5-6, Lockwood does not describe or suggest one or more medical measuring stations for collecting objective information from the applicant by measuring, in a single session, physiological aspects of the applicant or means for inputting information from the apparatus for collecting self-reported information and the objective information from said one or more medical measuring stations in the single session, to the processor for use by the life insurance underwriting program.

Nevertheless, the outstanding Action cites Ando as curing the deficiencies of Lockwood with regard to these features of the claimed invention.

Ando describes a method of collecting health information of a person over a long period of time using a self-administrated monitor, the collected information to be used to maintain accurate insurance premium rates.

However, the combination of Lockwood and Ando does not describe or suggest one or more medical measuring stations for collecting objective information from the applicant by measuring, in a single session, physiological aspects of the applicant or means for inputting information from the apparatus for collecting self-reported information and the objective information from said one or more medical measuring stations in the single session, to the processor for use by the life insurance underwriting program.

Specifically, as is noted above, the Ando reference describes collecting measurements over several sessions and using the collected information to update a currently utilized insurance premium rate. Such a system is designed to motivate covered persons to behave in a healthier manner by providing them with a discount for improvement etc. In contrast, the claimed invention recites collecting objective information from the applicant by measuring, in a single session, physiological aspects of the applicant, and using the objective information collected in the single session to display a final quote based upon both the self-reported information and the objective information collected *in a single session*.

Furthermore, Applicants respectfully submit that it would not be obvious to combine the Ando reference with the Lockwood reference in order to achieve the claimed invention. In addition to the reasons noted above evidencing this fact, Applicants note that the Ando reference is directed to a medical monitoring device while the Lockwood reference is directed to a system for automatically dispensing information, goods and services to a customer.

Thus, Applicants respectfully submit that Claim 31 and similarly Claims 1 and 17, and claims depending respectively therefrom, patentably distinguish over the combination of Lockwood and Ando.

In addition, with regard to independent Claim 38, Applicants respectfully submit that this claim also patentably distinguishes over the combination of Lockwood, Ando and Zander, at least, for reasons noted above with regard to Claims 1, 17 and 31. Moreover, Applicants note that the Zander reference also does not describe or suggest the features of the claimed invention related to the single session.

Moreover, the further cited Ryan and Maus references do not cure the above noted deficiencies of Lockwood, Ando and Zander with regard to the claimed invention.

In addition, with regard to newly added Claims 48 and 49, Applicants respectfully submit that these claims patentably distinguish over the cited Lockwood, Ando, Zander, Ryan and Maus references for reasons in addition to these claims' dependence from Claim 1.

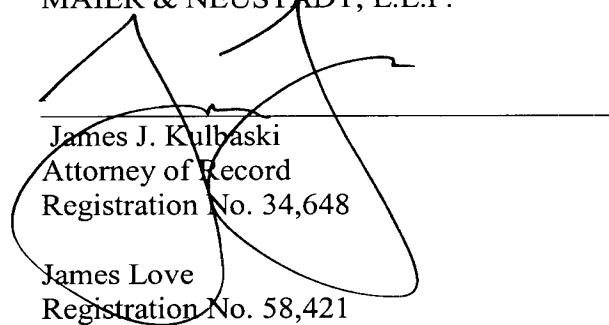
Specifically, none of the cited references considered individually or in any combination describe or suggest that the single session is performed in a single physical location or that the single session is complete before the providing step provides the objective information collected in the single session to the automated underwriting system.

Accordingly, Applicant respectfully submit that Claims 1-49 patentably distinguish over Lockwood, Ando, Zander, Ryan and Maus considered individually or in combination.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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